



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,359	03/09/2000	Wadood Hamad	A-6756	3106

7590 05/07/2003

Stewart I Gitler Esq
Hoffman Wasson & Gitler PC
2361 Jefferson Davis Highway Suite 522
Arlington, VA 22202

EXAMINER

FERGUSON, LAWRENCE D

ART UNIT PAPER NUMBER

1774

DATE MAILED: 05/07/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/522,359	HAMAD ET AL.
	Examiner	Art Unit
	Lawrence D Ferguson	1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 February 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-8 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-4, 6 and 8 is/are rejected.

7) Claim(s) 5 and 7 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) Interview Summary (PTO-413) Paper No(s). _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Response to Appeal Brief

1. This action is in response to the amendment mailed February 12, 2003. Examiner regrets the untimely reopening of the case and withdraws the previous rejections to further prosecute the claimed invention. Claims 1-8 are pending in this case.

Claim Rejections – 35 USC § 103(a)

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa et al. (U.S. 5,470,434).
4. Terasawa discloses decay-resistant impregnated paper cellulose made of fiber (abstract and column 2, lines 15-25) having discontinuous circular geometrical formations displayed in Figures 1 and 4 and column 12, lines 51-67, where the paper is impregnated with an antidecaying agent consisting of polymeric fiber (column 6, line 44 through column 7, line 30). Terasawa discloses 5% weight of the polymer fiber (column

9, lines 21-25). Terasawa does not disclose the polymer is thin. Thinness is an optimizable feature, which directly affects the integrity of the paper. It would have been obvious to one of ordinary skill in the art to optimize the polymer because discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 205 USPQ 215 and see *In re Aller*, 15 USPQ 233.

Claim Rejections – 35 USC § 103(a)

5. Claims 2, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa et al. (U.S. 5,470,434) in view of Warszawski (U.S. 4,596,635).
6. Terasawa is relied upon for claims 1, 3 and 4. Terasawa does not disclose polyester. Warszawski teaches a porous substrate of cellulose paper impregnated with plastic such as polyester, where the paper is coated with a polymer (column 16, lines 59-68). Terasawa and Warszawski are analogous art because they are both from the field of impregnated paper. It would have been obvious to one of ordinary skill in the art to include the cellulose paper of Terasawa impregnated with polyester and coated because Warszawski teaches cellulose paper impregnated with polyester and coated with a polymer helps protect the substrate from absorption (column 17, lines 1-10).
7. Claims 5 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. The arguments in regards to rejection under 35 USC 103(a) as being unpatentable over Caldwell (U.S. 5,876,792) in view of Conforti et al. (U.S. 5,620,819) in view of Li et al (U.S. 5,061,545) are moot based on grounds of new rejection.

The arguments in regards to rejection under 35 USC 103(a) as being unpatentable over Ungar et al. (U.S. 4,520,062) in view of Conforti et al. (U.S. 5,620,819) in view of Li et al (U.S. 5,061,545) are moot based on grounds of new rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Ferguson whose telephone number is (703) 305-9978. The examiner can normally be reached on Monday through Friday 8:30 AM - 4:30PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (703) 308-0449. Please allow the examiner twenty-four hours to return your call.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for

Application/Control Number: 09/522,359
Art Unit: 1774

Page 5

After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2351.


Lawrence D. Ferguson
Examiner
Art Unit 1774


CYNTHIA H. KELLY
SUPERVISOR, ART EXAMINER
TECHNOLOGY CENTER 1700